

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID IRVIN BLASKO,

Plaintiff,

Civil Action No.
09-CV-13471

vs.

HON. MARK A. GOLDSMITH

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER (1) ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION, (2) OVERRULING PLAINTIFF'S OBJECTIONS,
(3) GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, AND (4)
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

This is a social security case. Plaintiff David Irvin Blasko appeals from the final determination of the Commissioner of Social Security that he is not disabled and therefore not entitled to disability insurance benefits. The matter was referred to Magistrate Judge Mona K. Majzoub for all pretrial proceedings. Blasko and the Commissioner filed cross motions for summary judgment. Magistrate Judge Majzoub issued a Report and Recommendation ("R&R") recommending that the Commissioner's motion be granted and that Blasko's motion be denied. Blasko filed timely objections to the R&R and the Commissioner has responded.

The Court reviews *de novo* those portions of the R&R to which a specific objection has been made. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Having done so, the Court finds that the Magistrate Judge correctly and thoroughly analyzed the issues presented and that she reached the proper result for the proper reasons. Accordingly, the Court will accept and adopt the R&R as the findings and conclusions of the Court.

In the first five pages of the objections, Plaintiff summarizes the background facts of the case, all of which are acknowledged and discussed by the Magistrate Judge in her R&R. The remaining three pages of the objections contain argument as to why the Court should grant summary judgment in favor of Plaintiff. Namely, Plaintiff argues that the ALJ improperly determined that the medical opinion of Dr. Bogdanovic, Plaintiff's treating psychiatrist, is inconsistent with the record, especially in light of the fact that Dr. Bogdanovic's opinion is consistent with the opinion of another of Plaintiff's treating physicians, Dr. Pestruie. Plaintiff further argues that the ALJ failed to give sufficient weight to the medical opinions of Drs. Martin, Bielawski, and Casten. However, these same arguments were addressed, and rejected, by the Magistrate Judge in her R&R. *See* R&R at 11-14, 16 (rejecting the former argument regarding the medical opinions of Drs. Bogdanovic and Pestruie); R&R at 14-16 (rejecting the latter argument regarding the medical opinions of Drs. Martin, Bielawski, and Casten). The Court agrees with the Magistrate Judge's analysis and conclusion.

Accordingly,

IT IS ORDERED that the Magistrate Judge's R&R is accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Plaintiff's objections are overruled.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment is denied.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment is granted.

Dated: December 10, 2010

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 10, 2010.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager